

**LYNCHBURG CITY COUNCIL
Agenda Item Summary**

MEETING DATE: **October 12, 2004**

AGENDA ITEM NO.: 5

CONSENT:

REGULAR: **X**

CLOSED SESSION:
(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **Conditional Use Permit (CUP) – 1501 Lakeside Drive, Lynchburg College**

RECOMMENDATION: Approval of the requested Conditional Use Permit.

SUMMARY: Lynchburg College is petitioning for a conditional use permit to amend its Master Development Plan to allow for building and parking additions on the existing college campus. The property is zoned R-2, Single-Family Residential District. The Planning Commission recommended approval of the CUP because:

- The petition agrees with the *Comprehensive Plan* which recommends an institutional use for the subject property.
- Petition is in agreement with the Zoning Ordinance in that a college is a permitted use in a residential district upon approval of a CUP by the City Council.
- Petition proposes building and parking additions that are essentially infill of the existing college campus.

PRIOR ACTION(S):

September 22, 2004: Planning Division recommended approval of the CUP.

Planning Commission recommended approval 6-0 (with 1 abstention) of the CUP with the following conditions:

The property will be developed in substantial compliance with the "CUP Plan for Lynchburg College" dated August 11, 2004 and received September 8, 2004.

1. Required landscaping shall be provided within landscaped islands in the proposed parking lot and along the foundation of the building. Species and height requirements will be subject to the approval of the City Planner and the Urban Forester.
2. Adequate parking shall be paved as required by Section 35.1-25 of the Zoning Ordinance. Parking requirements shall be based on enrollment figures as provided by the State Council for Higher Education of Virginia (SCHEV).
3. Any additional lighting to be installed will be non-directional and glare-shielded.
4. Stormwater will be mitigated using a combination of low-impact Best Management Practices [BMP's] to address both quantity and quality of the runoff. Practices are subject to the approval of the City's Environmental Planner.

FISCAL IMPACT: N/A

CONTACT(S):

Rachel Flynn / 455-3902

Tom Martin / 455-3909

ATTACHMENT(S):

- Resolution
- PC Report
- PC minutes
- Vicinity Zoning Pattern
- Vicinity Land Use
- Site plans
- Building Elevations
- Narrative
- Speaker Sign Up Sheet

REVIEWED BY: lkp

RESOLUTION

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT TO LYNCHBURG COLLEGE TO AMEND ITS MASTER DEVELOPMENT PLAN TO ALLOW THE USE OF THE PROPERTY AT 1501 LAKESIDE DRIVE FOR BUILDING AND PARKING ADDITIONS, SUBJECT TO CERTAIN CONDITIONS.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LYNCHBURG That the petition of Lynchburg College for a Conditional Use Permit for use of the property at 1501 Lakeside Drive to amend its Master Development Plan to allow for building and parking additions be, and the same is hereby, approved, subject to the following conditions:

1. The property will be developed in substantial compliance with the "CUP Plan for Lynchburg College" dated August 11, 2004 and received on September 8, 2004.
2. Required landscaping shall be provided within landscaped islands in the proposed parking lot and along the foundation of the building. Species and height requirements will be subject to the approval of the City Planner and the Urban Forester.
3. Adequate parking shall be paved as required by Section 35.1-25 of the Zoning Ordinance. Parking requirements shall be based on enrollment figures as provided by the State Council for Higher Education of Virginia (SCHEV).
4. Any additional lighting to be installed will be non-directional and glare-shielded.
5. Stormwater will be mitigated using a combination of low-impact Best Management Practices [BMP's] to address both quantity and quality of the runoff. Practices are subject to the approval of the City's Environmental Planner.

Adopted:

Certified:

Clerk of Council

143L

The Department of Community Planning & Development
City Hall, Lynchburg, VA 24504 434-455-3900

To: Planning Commission
From: Planning Division
Date: September 22, 2004
Re: **CONDITIONAL USE PERMIT (CUP): Master Plan Amendment for Lynchburg College 1501 Lakeside Drive**

I. PETITIONER

Lynchburg College, 1501 Lakeside Drive, Lynchburg, VA 24501

Representative: Mr. John C. Lewis, Lynchburg College, 1501 Lakeside Drive, Lynchburg, VA 24501

II. LOCATION

The subject property is a tract of 99.00 acres located at 1501 Lakeside Drive.

Property Owner: Lynchburg College, 1501 Lakeside Drive, Lynchburg, VA 24501

III. PURPOSE

The purpose of this petition is to amend the previously approved master development plan to allow for building and parking additions to the existing Lynchburg College campus.

IV. SUMMARY

- Petition agrees with the Comprehensive Plan, in that school and institutional uses are permitted in residential districts.
- Petition agrees with the Zoning Ordinance in that private school and college uses are permitted in residential districts upon approval of a CUP by the City Council.
- Petition proposes the expansion of the existing school dormitory use.

The Planning Division recommends approval of the CUP petition.

V. FINDINGS OF FACT

1. **Comprehensive Plan.** The Lynchburg *Comprehensive Plan* recommends an Institutional use for the subject property. Institutional uses are described in the *Comprehensive Plan* as “religious, educational and other non profit entities (including private non-profit hospitals and service clubs/organizations) in the City”. Neighborhoods & Housing, Objective 1.C, states that all institutions should be encouraged to prepare master plans showing the location of existing and proposed facilities. Institutions are also encouraged to work with surrounding neighborhoods to ensure that the master plan will have neighborhood support.

The proposed building additions and parking areas are expected to occur within the next two (2) years. The site improvements are considered to be “in-fill” development, as they will occur on property currently owned by the Lynchburg College. The College distributed an area-wide mailing to alert neighbors of the proposed additions. At the time this report was submitted, the City’s Planning Division had not received any public comment about the proposed project.
2. **Zoning.** The subject property was annexed into the City in 1926. The existing R-2, Multi-Family Residential zoning was established in 1978 with the adoption of the current *Zoning Ordinance*. The submitted petition does not propose to change the existing R-2, Multi-Family Residential zoning.
3. **Board of Zoning Appeals (BZA).** The Zoning Official has determined that no variances will be needed for the proposed building and parking additions.
4. **Surrounding Area.** The following items have required City Council approval in the immediate area.
 - On October 28, 1980, Lynchburg City Council approved Lester Heyer’s CUP petition for a Family Amusement Center off of Lakeside Drive.
 - On September 25, 1984, Lynchburg City Council approved Lynchburg College’s CUP petition for the development of an alumni house off of Lakeside Drive.

- On August 13, 1985, Lynchburg City Council approved Lynchburg College's CUP petition for the conversion of an existing residence hall to offices and construction of new classrooms/parking at College Street.
- On July 12, 1988, Lynchburg City Council approved Lynchburg College's CUP petition for the construction of office space at 185 Vernon Street and 500 Westwood Avenue.
- On August 9, 1988, Lynchburg City Council approved Lynchburg College's CUP petition for the construction of a dormitory and office at 349 College Street.
- On February 14, 1989, Lynchburg City Council approved Lynchburg College's CUP petition for the development of faculty offices at 505 Brevard Street.
- On August 1, 1989, Lynchburg City Council approved Lynchburg College's CUP petition for the development of college offices and student housing on College, McCausland and Brevard Streets.
- On April 9, 1991, Lynchburg City Council approved Gethsemane Baptist Church's CUP petition for the construction of new parking and the expansion of both the existing parking and the sanctuary at 408 and 411 Blue Ridge Street.
- On January 12, 1993, Lynchburg City Council approved Lynchburg College's CUP petition for the amendment of the existing master plan for the construction of the School of Business at the 300 Block of College Street.
- On December 12, 1995, Lynchburg City Council approved Lynchburg College's CUP petition for the amendment of the existing master plan to allow conversion of an existing residence for supervised student housing at 511 Brevard Street.
- On May 13, 1997, Lynchburg City Council approved Gethsemane Baptist Church's CUP petition for the establishment of a play area and operation of a child care center for up to 49 children at 407 and 411 Blue Ridge Street.
- On May 12, 1998, Lynchburg City Council approved Lynchburg College's CUP petition for the development of special interest student housing at 512 Brevard Street.
- On June 9, 1998, Lynchburg City Council approved Lynchburg College's CUP petition for the amendment of the existing master plan for the construction of a gym and physical plant storage building at 1501 Lakeside Drive.
- On August 11, 1998, Lynchburg City Council approved Lynchburg College's CUP petition for the use of an existing residence for student housing at 215 Vernon Street.
- On July 13, 1999 Lynchburg City Council approved Lynchburg College's CUP petition for the development of a college office and student housing at 341 College Street, 504 Brevard Street and 245 Vernon Street.
- On March 14, 2000, Lynchburg City Council approved Lynchburg College's CUP petition to amend its master development plan for construction of student townhomes on campus at 1501 Lakeside Drive.
- On June 13, 2000, Lynchburg City Council approved Lynchburg Christian Academy's CUP petition for the temporary use of modular classrooms at 624 Thomas Road.
- On June 12, 2001, Lynchburg City Council approved Lynchburg College's CUP petition for the development of student housing at 511 Brevard Street, 312,420, and 425 Lakewood Street, and 504 Westwood Avenue.
- On June 8, 2004 Lynchburg City Council approved Lynchburg College's CUP petition for the conversion of existing residents to student housing at 191, 225, 235, 246, 302, 310, 311, 331, 348 Vernon Street and 316 and 426 Lakewood Street.

5. **Site Description.** The subject property is a tract of 99.00 acres that currently includes the campus of Lynchburg College. The site is bounded to the east and west by single-family homes. Properties to the south of the site are a combination of church/day care use and single-family homes. The northern portion of the property is heavily wooded and bounded by College Lake.

6. **Proposed Use of Property.** The purpose of the CUP is to amend the existing master plan to allow for the construction of a five-story apartment building (104 student spaces/beds) with associated parking additions. The original Conditional Use Permit (approved in 2000) provided for 32 units of six beds each and required a total of 192 student parking spaces. 144 of the proposed spaces have already been constructed with the townhomes approved under Phase 1 of the original CUP.
7. **Traffic & Parking.** The proposed facility will provide “on campus” housing for the college. Since the residents of the building will attend classes on the Lynchburg College campus, the facility is not expected to generate a significant amount of traffic within the neighborhoods adjacent to the college. In addition, the road immediately adjacent to the proposed apartments (College Drive) is bordered on both sides primarily by college housing and academic buildings. In order to provide adequate parking for the proposed project, the College proposes to build three parking lots which will add a total of 125 spaces.

The City Traffic Engineer had no comments of concern regarding the proposed building and parking additions.

8. **Storm Water Management.** A stormwater management plan will be required for the construction, because new impervious areas will exceed 1,000 square feet. Preliminary drainage calculations indicate that the receiving channel is adequate for the site’s stormwater.

Under the terms of the site plan for the previous Conditional Use Permit, two “infiltration galleries” were proposed adjacent to the existing drainage way between the proposed apartment building and the proposed 54-space parking area. The project will likely require that the “galleries” not be installed per the original site plan. To offset the water quality impacts associated with the previous project (approved under the 2000 CUP), the college proposes to install inlet filters within the drop inlets of the townhome parking area. In addition, to meet water quality requirements for the newly proposed facilities, Lynchburg College will incorporate structures similar to the infiltration galleries (called “bioretention basins”) into the proposed parking design.

The City Environmental Planner agrees with the proposed substitution for water quality Best Management Practices associated with the project.

9. **Impact.** The proposed development will allow for the construction of a five-story apartment building (104 student spaces/beds) with associated parking additions.

Of particular concern to the Planning Division is the design of the proposed apartment building in relation to the adjacent residential units. The exterior of the existing cottages complements adjacent land-use and provides a model design template for future additions.

The proposed facility will provide “on campus” housing for the college. Since the residents of the building will attend classes on the Lynchburg College campus, the facility is not expected to generate a significant amount of traffic within the neighborhoods adjacent to the college. In order to provide adequate parking for the proposed project, the College proposes to build three parking lots which will add a total of 125 spaces.

Since impervious areas will exceed 1,000 square feet, a stormwater management facility will be required for the project. A combination of low-impact Best Management Practices (BMPs) would improve water quality and the aesthetics of the facility. Additional landscaping along the foundation of the building and within the proposed parking will also provide additional water quality benefit for the project.

10. **Technical Review Committee.** The Technical Review Committee (TRC) reviewed the preliminary site plan on August 31, 2004. Comments related to the proposed additions were minor in nature and have or will be addressed by the developer prior to final site plan approval.
11. **Conditions.** According to Section 35.1-15 (f) of the Zoning Ordinance, the Planning Commission or City Council may impose any conditions deemed necessary or appropriate in approving a CUP.

VI. PLANNING DIVISION RECOMMENDED MOTION

Based on the preceding Findings of Fact, the Planning Commission recommends to the City Council approval of the petition of Lynchburg College for the construction of building/parking additions in an R-2, Single-Family Residential District, subject to the following conditions.

1. The property will be developed in substantial compliance with the "CUP Plan for Lynchburg College" dated August 11, 2004 and received on September 8, 2004.
2. Required landscaping shall be provided within landscaped islands in the proposed parking lot and along the foundation of the building. Species and height requirements will be subject to the approval of the City Planner and the Urban Forester.
3. Adequate parking shall be paved as required by Section 35.1-25 of the Zoning Ordinance. Parking requirements shall be based on enrollment figures as provided by the State Council for Higher Education of Virginia (SCHEV).
4. Any additional lighting to be installed will be non-directional and glare-shielded.
5. Stormwater will be mitigated using a combination of low-impact Best Management Practices [BMPs] to address both quantity and quality of the runoff. Practices are subject to the approval of the City's Environmental Planner.

This matter is respectfully offered for your consideration.

William T. Martin, AICP
City Planner

pc: Mr. L. Kimball Payne, III, City Manager
Mr. Walter C. Erwin, City Attorney
Ms. Rachel O. Flynn, Director of Community Planning & Development
Mr. Bruce A. McNabb, Director of Public Works
Mr. R. Douglas DeJarnette, Fire Chief
Mr. J. Lee Newland, Director of Engineering
Mr. Gerry L. Harter, Traffic Engineer
Mr. Robert Drane, Building Commissioner
Ms. Judith C. Wiegand, Senior Planner
Mr. Arthur L. Tolley, Zoning Official
Mr. Robert S. Fowler, Zoning Official
Mr. John C. Lewis, Petitioner/Representative

VII. ATTACHMENTS

1. Vicinity Zoning Pattern
(see attached map)
2. Vicinity Proposed Land Use
(see attached map)
3. Site Plan
(see attached site plan)
4. Narrative
(see attached Narrative)
5. Notice of Neighborhood Meeting
(see attached Notice)

MINUTES FROM THE SEPTEMBER 22, 2004 PLANNING COMMISSION MEETING
These minutes have not been reviewed nor approved by the Planning Commission

Petition of Lynchburg College for a conditional use permit to amend the master development plan at 1501 Lakeside Drive to allow the construction of an apartment building for 104 students, associated parking areas and an addition to the Wake Field House in an R-2, Single-Family Residential District.

NOTE: Commissioner Flint abstained from this public hearing as he had a financial interest in the request.

Mr. John Lewis, Business Manager for Lynchburg College 1501 Lakeside Drive, addressed the Commission concerning this request. Mr. Lewis explained that the College wanted to update their Master Plan. He added that an early Master Plan approval allowed 192 student housing spaces to be located in the subject corner of the campus, but they found that they needed more space and would like to change the style of the building. He said Phase I of the plan called for five townhouses, which had already been constructed. He said another phase of the plan required the demolition of two houses, but they would like to postpone that portion of the plan at this time and move to the back phase of the project. Mr. Lewis explained that rather than continuing the townhouse concept, they would like to build a five-story apartment building, housing 104 students total. He said the five-story apartment building would be constructed directly behind the new townhomes, and would include 90 parking spaces. He added that the initial site plan was still being worked on by Raina Rosado from Hurt & Proffitt. He noted that she could answer any technical questions that the Commission might have about the site. Mr. Lewis said the college was waiting on bids to come in and would like to have the construction completed in order to use the building when school opened in 2005. He added that the goal was to house more students on campus.

Commissioner Worthington asked about statements in the Planning Division report, Section V; Findings of Fact; number 9; second paragraph, which stated: "Of particular concern to the Planning Division is the design of the proposed apartment building in relation to the adjacent residential units. The exterior of the existing cottages complements adjacent land-use and provides a model design template for future additions." He asked about the design of the building and why the comment was included in the report.

Mr. Lewis said he wondered about the same statements, adding that the building would almost be hidden from the street.

Chair Dahlgren commented that he had the same concerns as Commissioner Worthington, and thought the concerns were probably about aesthetics. He said he would feel uncomfortable giving the college the approval for their project without seeing the building design.

Ms. Rosado said the exterior would be brick with the same kind of exterior as building number 5. She said the difference would be the internal layout. She explained that there would be one front door with internal stairs to each floor. She added that each floor would have six bedrooms with a common kitchen and living room, with the Terrace Level being used as function space for events. Ms. Rosado said Wiley and Wilson had done a rendering of the proposed building that they could bring to this meeting if the Commission wanted to see it.

Mr. Kent White, Environmental Planner, addressed the Commission, explaining that he had written the report. He said those statements were included in all reports where institutional uses were built in neighborhood settings. He said the idea was to keep the design conducive not only to the general campus of Lynchburg College, but also with the surrounding neighborhood.

Commissioners asked Mr. Lewis if he could get a copy of the sketch of the proposed building before they made a decision on this petition.

Commissioner Hamilton said since Lynchburg College was landlocked would the apartment style dorms be the norm from here forward. She asked Mr. Lewis how much more space the college would need in the future.

Mr. Lewis said the college was trying to decide the optimal number of students for Lynchburg College, and added that they thought they were very close to that number. Currently, he said, their enrollment was 2,200, including undergraduate, graduate and part-time students.

Commissioner Echols asked how many elevators would be in the building, and about access and egress.

Mr. Lewis responded that there would be one elevator in the center of the building. He added that there were also front and back stairwells.

Commissioner Hamilton asked how this building would affect the conservation area. She asked if they were mitigating runoff and any negative impact on the area.

Ms. Rosado said the conservation area was adjacent to this site, and added that the Conservation Easement was put into effect during the Phase I construction by the Army Corp of Engineers. She said the only thing that area could be used for would be walking trails, which would have to be approved by the Army Corp of Engineers.

Commissioner Echols asked how the cars would get in and out of the proposed parking lot.

Mr. Lewis said there was an entrance from the Wake Field House site into the proposed parking lot.

Mr. Martin told the Commissioners that if they were concerned with the design of the building blending in with the rest of the campus, then they could make that a Condition for the CUP. He said in their original petition, Lynchburg College agreed that the building would be similar in design and character to the existing student housing buildings. Mr. Martin explained that this petition could also be tabled until the building rendering was available to review at the end of this meeting.

Commissioners agreed to table this discussion until later in the meeting when the building rendering was presented for review.

After the second agenda item was acted upon, the public hearing for the petition of Lynchburg College was reopened to review the building renderings delivered by Wiley and Wilson.

Mr. Lewis reiterated that the building would house a total of 104 students; each floor would have four apartments; each apartment would house six students. He added that each apartment would house single gender residents, but other than that, there would be no other separation between male and female students.

Commissioner Hamilton asked Mr. Lewis if they decided to increase their enrollment to 2,500, where would those students be housed.

Mr. Lewis said because there was no excess space on campus, the College was pretty much at it's optimal size. He said they do not necessarily see their student population increasing beyond what it currently is.

After discussion, Commissioner Bacon made the following motion, which was seconded by Commissioner Pulliam and passed by the following vote:

"That the Planning Commission recommends to the City Council approval of the petition of Lynchburg College for the construction of building/parking additions in an R-2, Single-Family Residential District, subject to the following conditions.

1. The property will be developed in substantial compliance with the "CUP Plan for Lynchburg College" dated August 11, 2004 and received on September 8, 2004.
2. Required landscaping shall be provided within landscaped islands in the proposed parking lot and along the foundation of the building. Species and height requirements will be subject to the approval of the City Planner and the Urban Forester.
3. Adequate parking shall be paved as required by Section 35.1-25 of the Zoning Ordinance. Parking requirements shall be based on enrollment figures as provided by the State Council for Higher Education of Virginia (SCHEV).
4. Any additional lighting to be installed will be non-directional and glare-shielded.
5. Stormwater will be mitigated using a combination of low-impact Best Management Practices [BMPs] to address both quantity and quality of the runoff. Practices are subject to the approval of the City's Environmental Planner."

AYES:	Bacon, Dahlgren, Echols, Flint, Worthington	6
NOES:		0
ABSTENTIONS:	Flint	1